

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3258/P1dn
RCT:wlj:jf

August 8, 2005

Dan Lindstedt:

This is a preliminary draft of the proposal relating to open burning and illegal storage or disposal of waste tires.

There are currently a number of references in the statutes to the littering law, s. 287.81, that have to do with enforcement of that law by traffic officers. That makes sense because littering often consists of throwing something out of the window of a motor vehicle. Because the open burning forfeiture and citation authority have been added to the littering law, the current references will now also incorporate the open burning citation authority. I am uncertain whether the current references should be narrowed to exclude the open burning provisions. I recommend that you ask Kevin Kessler to review, or have someone else at DNR review, the references to s. 287.81 in the following to see whether they should be narrowed: ss. 23.53 (1), 29.931 (2) (a), 110.07 (1) (a) 1. and 3. and (b), 345.11 (1u), and 345.20 (2) (g).

Please let me know if you have any questions, want any changes in the draft, or want me to prepare an introducible version of the draft.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us